



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, May 11, 2022 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law, this meeting was conducted by remote participation.

Call to Order 7:02 pm

Roll Call by David Hatfield, Chairman

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Not Present:

AMI WALL, CLERK

Legal Notice Read by James McBain

REQUEST FOR CONTINUANCE:

(22-36) 259 VERNON STREET – DEREK & KRISTA POPEK

A request was made by Derek Popek to continue until May 25, 2022 to allow more time to provide additional materials.

Chip made a motion to allow the Popek's to continue to May 25, 2022 and Tom seconded the motion.

Voting members - Chip, Dave, Jim, Joe, Tom – all were in favor



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MICHAEL L. FEELEY, ALTERNATE

Not Present:

AMI WALL, CLERK

Legal Notice Read by James McBain

REQUEST TO CONTINUE:

(22-52, 22-53, 22-54, 22-55) – 356 LOWELL STREET – NOURIA ENERGY CORP.

A request from Attorney Brian McGrail to continue until May 25, 2022.

Chip made a motion to grant the request, Tom seconded the motion.

Voting Members – Chip, Joe, Jim, Tom, Dave – all were in favor

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AMI WALL, CLERK

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CONTINUED HEARING:

**(21-50, 21-51, 21-52) 200-400 QUANNAPOWITT PARKWAY – CCF QUANNAPOWITT
PROPERTY COMPANY, LLC.**

Purpose: Applications for Special Permits for a multi-family mixed-use apartment community with 485 residential units, associated parking and a restaurant use. (Now at 440 Units with a restaurant)

Attendees: Attorney Brian McGrail, Matt D'Amico, Eric Samuelson (Cube 3), Stef Theall

Discussions:

Eric Samuelson presented the renderings of the garage and a couple of views of Building #3 elevations.

The panels on the garage are wood panels.

Jim and Greg would like to see more of the wood panels on the garage.

Chip suggested omitting the panels all together and just leave it as is, like the garage at the building next door.

Matt D'Amico suggested more trees; Mike and Dave liked that look better than the random panels.

Matt suggested presenting different renderings for the next hearing - adding more trees, looking at a mesh option and more decorative stone/blocks on the garage for the next hearing.

Matt presented the phasing plan of the project:

- Phase 1 = Building 1
- Phase 2 = Building 3, including the garage
- Phase 3 = the rest of Building 3
- Phase 4 = Building 2
- Site improvement – the walking path in Phase 2

Irrigation is now noted on the landscape plan. Every species of plants/trees are being located and called out on the plan.

The ZBA wants to see ConCom's order of conditions before they close out.

O&M Plan has been submitted.

Tom wants to coordinate the O&M Plan and conditions to be carefully reviewed and incorporated together.

Brian said yes, they will coordinate better so that someone does not have to go to several reports to see if something is going to happen.

There was a subcommittee meeting held with the developers, Greg and Chip to discuss the amenities of the project. It was a very productive meeting. It resulted in moving the location of the bathrooms, public safety satellite office and combining some of the public and private elements of the project.

Greg said that after the meeting they seem to be at a better place.

Chip is a lot more comfortable with the blend now than he was prior to the meeting.

CCF is putting together some designs – there may be one more subcommittee meeting if needed.

Next Hearing

Updates on the garage

Landscaping

O&M

Amenities

Reconciliation of plans

Reconciliation with ConCom if they close out tomorrow

Coordination with the O&M, Conditions and drainage/stormwater reports

Public Testimony

Dennis Cloherty – 1 Harvest Road – Our properties are connected by water – is the applicant amendable to removing the debris from the culvert. Matt said they will be removing sediment build up on the Town property; they will be removing it on their property.

Brian suggested that Mr. Cloherty talk to the Town Engineer. Mr. Cloherty said the water runs toward his house and Mr. D'Amico told Mr. Cloherty that he will get water to a lesser extent.

Plans Presented:

- Project Phasing Diagram, prepared by Cube 3, dated May 6, 2022
- O&M Plan
- Materials & Color Selection, prepared by Cube 3, dated May 6, 2022
- Site & Development Plans, prepared by Copley Wolff Design Group, dated May 6, 2022

Chip made a motion to continue to 5/25

Tom 2nd

Chip, Tom, Jim, Joe, Dave – all in favor

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CONTINUED HEARING:

(22-39) 596 NORTH AVENUE – o NORTH AVE WAKEFIELD, LLC

Purpose: Comprehensive Permit to Allow a 38-Unit Residential Dwelling

Attendees: Attorney Jesse Schomer (Legal Team), Scott Thornton (Vanesse), Ezra Glenn (MHP Consultant)

Joe Pride recused himself – Chair Hatfield put him in the zoom waiting room

Discussions:

Attorney Schomer briefed the Board - They have had a subcommittee meeting that was very productive. They would like another subcommittee meeting next week but they need to touch base with Conservation so they may also attend.

Dave pointed out that the consultant from MHP was approved to work with the Board and developer and is again Ezra Glenn.

Scott Thornton presented his traffic study.

Thornton said that Matt Kealy from VHB was present at the Towns traffic meeting and did not seem to have any problem with their findings. Lt. Andersen was also present and had a few suggestions. Bill Renault was present and was looking for a push button flashing device to aid in pedestrian crossings on North Ave.

They are going back to TAC in May for a follow up meeting.

Matt Kealy will submit a memo on his findings after that meeting.

Thornton also said parking would not be included in the rent, tenants would have to pay for a space.

Tom asked if they would be charging for all parking on the site, Tom asked if the affordable units would have to pay.

Chip does not like this plan. Cars will have to park in the neighborhood. Tom does not like it either.

Greg pointed out that the Vista project did the same thing and there are many cars parked on the street and it is a big problem.

Tom said that if you are not providing parking they have to offer a series of incentives to the tenants.

Ezra said that the effects on affordable housing units paying for spaces is for the housing authority. But the board should weigh in.

Public Testimony:

None

Plans Presented:

None

Chip moved to continue to 5/25

Greg 2nd

Tom, Jim, Dave, Chip, Greg – all in favor

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NEW HEARING:

(22-56, 22-57) 11 ANDREWS ROAD – EUGENE KAMINSKY & EVA OSTROVSKY KAMINSKY

Purpose: Variance and Determination and/or Finding to relating to an addition onto the dwelling

Attendees: Attorney Brian McGrail, Eugene & Eva Kaminsky, Wayne Perkins

Discussions:

Attorney McGrail explained that the Kaminsky's would like an addition onto their house. Brian presented a google map of the neighborhood.

On the left side of the house they would like to construct an attached garage with a storage area above but in the future they would turn the storage area into a bedroom.

Hayes Engineering prepared a site plan.

The yard narrows in the back and has topography issues.

Brian ran through the zoning table requirements.

They need a side yard setback off 6.5 feet.

Lot width will change from 92.33 ft. to 90.50 ft. that is why they are asking for a Finding.

Letters of support from the abutters were presented.

Brian ran through the hardships and circumstances of the variances.

Public Testimony:

None

Plans Presented:

- Site Plan, prepared by Hayes Engineering, revised date 3/17/22
- Drawings prepared by Wayne Perkins

VOTE: Chip moved to find that the plans prepared by Hayes Engineering dated 3/17/22 is not more detrimental and does not increase the non-conformity.

Tom 2nd

Voting Members - Tom, Jim, Joe, Dave, Chip – all in favor

VOTE: Chip moved to grant a Variance for a side yard setback according to the plan prepared by Hayes Engineering dated 3-17-22 that it goes to 6.5 feet plus or minus and they reviewed the criteria and standards for a variance and found that because of topography and the narrowed back yard, there is good reason to grant a variance and it will not be more detrimental to the neighborhood.

Tom 2nd

Voting Members - Tom, Jim, Joe, Dave, Chip – all were in favor

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NEW HEARING:

(22-58) 28 CHURCH STREET – GEORGE & LAURA KADDARAS

Purpose: Variances for a pool in the side yard and side yard setback

Attendees: Jay Henshall of Gibraltar Pools

Mr. Henshall explained that they are asking for a variance for an above ground swimming pool to be located in the side yard and it will infringe on the side yard setback.

The hardship is that the lot is an undersized lot.

The Board went back and forth and discussed that it would have been nice to hear from the direct abutter, the pool is only 4 feet away from their lot. Mr. Henshall argued that they received notification of this hearing and also there is an appeal process should they not agree.

Public Testimony:

None

VOTE: Chip moved to grant a Variance to allow the pool to be placed in the side yard as shown plot plan dated 3/23/22, prepared by Gloral Associates.

Tom 2nd

Chip, Tom, Joe, Jim, Dave – all were in favor

VOTE: Chip moved to grant the Variance to allow the above ground pool to encroach on the side yard setback at 4 feet from the lot line (15 feet is required).

Tom 2nd

Chip, Tom, Joe, Jim, Dave – All were in favor

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OTHER MATTERS:

113 Water Street - Yanling Su & Chrisopher Anslono

The Board retains jurisdiction on any signage change on this building that is why they are here tonight, for a modification of the sign.

Mr. Anslono presented the new signage plan.

All they would like to do is change the name on the sign.

It is the same size as the sign that was there before.

Jim pointed out that the window sign on the left is not compliance, they agreed to remove it.

Public Testimony:

None

VOTE: Chip moved to grant permission to Yan Aromatherapy Shoppe to replace the sign according to the plan dated April 23, 2022 and prepared by Christopher Anslono from The Sign Shoppe.

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BOARD COMMENTS:

- Jim gave the Board his update on Tarrant Lane
- Ami and Jim will tour Harvard Mills on May 24 and check out the plantings.
- 610 Salem Street – several issues – Peter Sandorse made modifications on some windows. Jim asked for permission to approve the changes. The Board said that they have to approve the windows together as a Board, so they will come back for a minor modification.
Jim also said that the Landscape and Civil drawings are not dated correctly.
- The Board wants to look at the decision of 404 Lowell Street to see if there is a condition for times of construction.

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APPROVE MINUTES:

Chip made a motion to approve the minutes of April 27, 2022.

Tom 2nd

All were in favor

The hearing adjourned 9:30 p.m.